

Attorney Docket No. E1067/20007  
Customer No. 03000

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicants : Gross et al.  
Serial No. : 09/617,340  
Confirmation No. : 1665  
Filed : July 17, 2000  
For : AUTOMATIC SYRINGE  
Group : 3763  
Examiner : M. Hayes

**TERMINAL DISCLAIMER**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, William F. Daniel, represent that I am Company Secretary for ELAN CORPORATION, PLC, the assignee of the entire right, title and interest in and to the above-entitled application, and that I have authority to make this Terminal Disclaimer on behalf of ELAN CORPORATION, PLC.

ELAN CORPORATION, PLC hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No.

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6,099,504. ELAN CORPORATION, PLC, hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, ELAN CORPORATION, PLC does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATE: 12-02-02

ELAN CORPORATION, PLC

A handwritten signature in black ink, appearing to read 'W. Daniel', is written over a horizontal line.

William F. Daniel,  
Company Secretary

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Gross et al.  
 Application No./Patent No.: 09/617,340 Filed/Issue Date: July 17, 2000  
 Entitled: AUTOMATIC SYRINGE  
Elan Corporation, plc, an Irish corporation  
 (Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
 2. ☐ an assignee of less than the entire right, title and interest.  
 The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %  
 in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 9724, Frame 0621, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
 The document was recorded in the United States Patent and Trademark Office at  
 Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
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3. From: \_\_\_\_\_ To: \_\_\_\_\_  
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

12-02-02  
 Date

William F. Daniel

Typed or printed name

Signature

Company Secretary

Title